IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

Writ Petition No.16620 of 1999

Dated: 04-06-2007

Between:

1. Dr. I. V. Subba Rao,
   s/o I. Panduranga Rao,
   Executive Officer,
   r/o Tirupathi,
   Chittoor District and 2
others.

... Petitioners

and

1. The Government of Andhra Pradesh,
   represented by its Principal Secretary,
   Department of Labour and Employment,
   Secretariat,
   Hyderabad and 2 others.

... Respondents

ORDER:

Heard learned counsel for the parties.

2. Tirumala Tirupathi Devasthanams (for short, 'TTD'),

represented by its Executive Officer and two of its employees filed the present writ petition questioning the Inspection Order or Notice, dated 29-03-1999, wherein petitioners 2 and 3 were asked to comply with certain objections mentioned therein, and the subsequent initiation of criminal proceedings against them in S.T.C.No.66 of 1999 pending on the file of the III Additional District Munsif, Tirupathi.

3. Learned Standing Counsel Sri M. Adinarayana Raju, appearing for petitioners stated across the bar that the writ petition can as well be disposed of with liberty to petitioners to raise all questions of law and facts by adducing necessary evidence before the competent Criminal Court which is ceased of the matter.

4. Apparently, the points involved in this writ petition, are whether the treatment given by TTD for purifying the water is a 'manufacturing process' as defined under Section 2(k) of the Act and the Water Treatment Plant is a 'factory' within the meaning of Section 2(m) of the Act as defined under the Act or not, which in my considered view cannot be decided in a writ petition.

5. Accordingly, the writ petition is disposed of with liberty to petitioners to adduce evidence and establish as to whether the same would fall within the meanings of Sections 2(k) and (m) of the Act.

No costs.

However it is made clear that pending disposal of the said criminal case, respondents shall not initiate any legal action against TTD.

JUSTICE GOPALAKRISHNA TAMADA

Dt.04-06-2007
GLV